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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,284	03/10/2004	David Kirchhoff	03968-P0001C	2939

24126 7590 09/29/2010  
ST. ONGE STEWARD JOHNSTON & REENS, LLC  
986 BEDFORD STREET  
STAMFORD, CT 06905-5619

EXAMINER
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RIVIERE, HEIDI M

ART UNIT	PAPER NUMBER
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3689

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09/29/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* DAVID KIRCHHOFF, LISA CONNELLY,  
ANNA CROOK, SHEILA KELLY, KAREN MILLER-KOVACH,  
AMIE PERL, PALMA POSILLICO, THILO SEMMELBAUER,  
and AMY SHEPPARD

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Appeal 2010-012424  
Application 10/797,284  
Technology Center 3600

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Before STEVEN J. BARTLETT, *Support Division 2 Manager*.

ORDER REMANDING APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on September 27, 2010. A Docketing Notice was mailed on September 28, 2010. Upon review of the application, it has been determined that a remand to the Examiner is necessary to consider the following issues and to take necessary corrective action.

REQUEST TO REOPEN PROSECUTION

Appellants filed a Request to Reopen Prosecution on August 23, 2010. There is no indication on the record that the Examiner has considered the above Request to Reopen Prosecution.

Accordingly, it is ordered that the application is remanded to the Examiner:

- 1) to Reopen Prosecution; and
- 2) for further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

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